1 THOMAS MARC LITTON, ESQ. (Cal. Bar No. 119985) LAW OFFICES OF THOMAS MARC LITTON 2 555 Montgomery St., Suite 820 San Francisco, California 94104 APR - 5 2011 Telephone: (415) 421-4770 Facsimile: (415) 421-4784 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND 5 Attorney for Plaintiff, JENNIFER WALLING 6 7 8 IN UNITED STATES DISTRICT COURT 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA 10 11 12 JENNIFER WALLING. CASE NO.: C-10-05247 SBA 13 STIPULATION AMENDING Plaintiff. **COMPLAINT TO INCLUDE AGA** 14 **MEDICAL CORPORATION AS A DEFENDANT AND** 15 \_<del>|PROPOSED|</del>ORDER THEREON 16 AGA MEDICAL HOLDINGS, INC., 17 dba AGA MEDICAL CORPORATION, a Delaware Honorable Saundra Brown Armstrong. 18 corporation, DOES 1 to 20, inclusive U.S. District Judge and each of them, 19 20 Defendants. 21 22 The parties to this action through their respective attorneys of record hereby stipulate and 23 agree as follows: 24 1. AGA Medical Corporation is hereby added as defendant to each cause of action in 25 Plaintiff's complaint in this action and will be represented by the same attorneys 26 27 representing specially appearing defendant AGA Medical Holdings, Inc.; 28 STIPULATION AMENDING COMPLAINT TO INCLUDE AGA MEDICAL CORPORATION AS A DEFENDANT AND (PROPOSED) ORDER THEREON

| 1       | 2. AGA Medical Corporation hereby acknowledges actual notice of this lawsuit.                                  |
|---------|--|
| 2       | subjects itself to the jurisdiction of this court in this action;  |
| 3       | 3. AGA Medical Corporation accepts service of the lawsuit effective March 31, 2011;                            |
| 4       | and  |
| 5       | 4. AGA Medical Corporation will serve a responsive pleading to Plaintiff's complaint                           |
| 6       | <b>V</b> /   |
| 7       | by April 21, 2011.  DATED: March 1. 2011   |
| 8       | Thomas Marc Litton, Esq.   |
| 9<br>10 | Law Offices of Thomas Marc Litton Attorney for Plaintiff, Jennifer Walling                                     |
| 11      |  |
| 12      | DATED: March 30, 2011  Teresa W. Ghali, Esq.  Akin Gump Straug & Fold LLB                                      |
| 13      | Akiii Gump Strauss Hader & Feid, LEP   |
| 14      | Attorney for Specially Appearing Defendant AGA Medical Holdings, Inc., and Defendant                           |
| 15      | AGA Medical Corporation  |
| 16      | ORDER  |
| 17      | IT IS ORDERED.   |
| 18      |  |
| 19      | DATED: March 7, 2011 SAUNDRA BROWN ARMSTRONG   |
| 20      | United States District Judge   |
| 22      | $\mathcal{U}$  |
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|         | STIPULATION AMENDING COMPLAINT TO INCLUDE AGA MEDICAL CORPORATION AS A DEFENDANT AND [PROPOSED]  ORDER THEREON |